

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

ALEXANDER BERNARD KASPAR,

Debtor.

Case No. 22-10382 (MG)

Chapter 7

MARIANNE T. O'TOOLE, solely in her
capacity as Chapter 7 Trustee of the Estate of
Alexander Bernard Kaspar,

Plaintiff,

v.

Adv. Proc. No. 23-01154 (MG)

M. CABRERA & ASSOCIATES, P.C.,
MATTHEW M. CABRERA, ESQ.,
ALEXANDER BERNARD KASPAR,
CITYGRACE CORP. a/k/a CITIGRACE
CORP, GRACE A. DELIBERO, a/k/a
GRACE ANGELA DELIBERO,

Defendants.

**ORDER DENYING MOTION TO DISMISS FIFTH CAUSE OF ACTION
AGAINST DEFENDANT KASPAR**

On October 17, 2023, defendant Alexander Bernard Kaspar's Motion to Dismiss Plaintiff's Fifth Cause of Action for Aiding and Abetting a Breach of Fiduciary Duty came on for hearing. ("Motion," ECF Doc. #8). For the reasons stated on the record at the conclusion of the hearing, the Motion is **DENIED**.

The parties are directed to submit a proposed case management and scheduling order applicable to all claims and all parties in this case using the Court's template for such orders. The order should include 120 days for fact discovery and 45 days for expert discovery. Counsel should obtain a date for the next case management conference from

my Courtroom Deputy which shall be scheduled approximately 7 days before the conclusion of the deadline for completing fact discovery.

IT IS SO ORDERED.

Dated: October 18, 2023
New York, New York

Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge